

No. 9/3/87-6Lab./3367.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947, (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Venus Paper Mills, Packing Division, Mathura Road, Faridabad :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT  
FARIDABAD

Reference No. 251 of 1986

*between*

SHRI SIRI RAM, WORKMAN AND THE RESPONDENT-MANAGEMENT OF  
M/S VENUS PAPER MILLS, PACKING DIVISION, MATHURA ROAD,  
FARIDABAD

*Present :—*

Shri R. L. Sharma, for the workman.

Shri B. K. Akhori, for the Respondent.

AWARD

This reference under Section 10(1)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/30-86/25905—10, dated 22nd July, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arisen between Siri Ram, workman and the respondent-management of M/s. Venus Paper Mill (Packing Division), Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 251 of 1986.

The file has been taken up at the request of the parties. Settlement as well as receipt have been produced on the file. It has been stated by the workman that he has since settled the matter in dispute with the respondent and he has received the amount of Rs. 2,980/- towards full and final settlement. In view of it, he would not be entitled for reinstatement/ re-employment with the respondent. The reference is accordingly consigned to records as having been fully settled.

Dated the 29th April, 1986.

A. S. CHALIA,

Presiding Officer,  
Labour Court  
Faridabad.

Ends . No. 807, dated the 29th April, 1987.

Forwared (four copies) to the Commissioner and Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,  
Labour Court,  
Faridabad.

No. 9/3/87-6Lab./3374.—In pursuance of the provision of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Anand Gas Ltd., Plot No. 6. Maruti Industrial Area, Gurgaon :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER,  
LABOUR COURT FARIDABAD

Reference No. 37 of 1987

*between*

SHRI MANAGER YADAV, WORKMAN AND THE RESPONDENT-MANAGEMENT OF  
M/S S. ANAND GAS LTD., PLOT NO. 6, MARUTI INDUSTRIAL AREA,  
GURGAON

*Present :—*

None for the workman.

Shri A. D. Kolhatkar for the respondent-management.

## • AWARD

• This reference under Section 10 (1) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984, (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. 1D/FD/GGN/145/76/1404—19, dated 13th January, 1987, to adjudicate upon the dispute of service matter covered by second Schedule under Sector 7 of the said Act, arisen between Shri Manager Yadav, workman and the respondent-management of M/s Anand Gas Ltd., Maruti Industrial Area, Gurgaon, Accordingly, it has been registered as reference No. 37 of 1987.

2. Workman has not turned up. His representative is also not present. From the side of respondent Shri A. D. Kolhatkar is present. It means that workman is not interested in pursuing the reference and as such, the same is hereby answered against him.

Dated, the 27th April, 1987.

A. S. CHALIA,

Presiding Officer,  
Labour Court, Faridabad.

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Endorsement No. 829, dated the 29th April, 1987

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under Section 15 of I. D. Act.

A. S. CHALIA,

Presiding Officer,  
Labour Court, Faridabad.

The 6th May, 1987

No. 9/1/87-6-Lab./2557.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the Management of M/s Haryana Urban Development Authority, Karnal.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Ref. No. 129 of 1986

SHRI SHIV CHARAN, S/O SHRI GANGA DUTT, BANSA GATE, KARNAL AND  
THE MANAGEMENT OF THE MESSRS HARYANA URBAN DEVELOP-  
MENT AUTHORITY, KARNAL

*Present—*

Shri D. P. Pathak for workman.

None for respondent.

## AWARD

The Hon'ble Governor of Haryana in the exercise of its powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of Industrial Disputes Act, 1947, referred dispute between Shri Shiv Charan and Management of M/s. H. U. D. A., Karnal to this Court. The terms of the reference are as under:—

“Whether termination of services of Shri Shiv Charan, is just and correct ? If not, to what relief is he entitled ?”

Workman through his demand notice, dated 20th August, 1985 alleged that he joined service of respondent-management as a Sweeper in February, 1982 through Employment Exchange. He had been in service of Haryana Urban Development Authority up to 20th January, 1984 thereafter he was transferred to Municipal Committee, Karnal. Municipal Committee, Karnal provided work up to 6th August, 1985. Thereafter no work was provided by the Municipal Committee, Karnal to him. Workman approached the respondent again to provide him some work, but the respondent declined

to give him any job. He has come to know from the reliable sources that some new Sweeper has been employed in his place. So, he alleged that his termination without issuing any notice and without making payment of any retrenchment compensation is violative to the provisions of section 25(F) of Industrial Disputes Act, 1947. He prayed for his reinstatement with continuity in service and with full back wages.

Respondent management was served. It appeared. The reference was fixed for filing of reply for 11th December, 1986 but on that day respondent absented. *Ex parte* proceedings were taken up against it. In *ex parte* proceedings Shri Shiv Charan examined himself. He stated that he joined service of respondent-management on 19th January, 1982 as a Sweeper through Employment Exchange. He worked in the service of respondent from 10th April, 1982 to 6th June 1985. On 7th July, 1985 he was removed from service without issuing any notice and without making payment of retrenchment compensation. He further stated that sweepers of Karnal formed an Union. He joined that Union. Due to that fact his services were terminated by the respondent-management.

In view of the above evidence I am of the considered opinion that respondent-management voluntarily withdrew from the contest of the dispute. From the statement of workman it is established that he remained in the service of respondent-management more than 240 days. On 7th July, 1985 his services were terminated without issuing any notice and without making payment of retrenchment compensation. This shows that respondent-management has violated to the provisions of section 25 (F) of Industrial Disputes Act, 1947 while terminating the services of the workman and new Sweeper has been employed in his place. So this shows that the termination order regarding the services of the workman is illegal and unjust. I order that workman be reinstated with continuity in service and with full back wages. I pass award regarding the dispute in hand accordingly.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

Dated 4th February, 1987.

Endst. No. 303, dated 10th February, 1987.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

KULWANT SINGH,

Secretary to Government, Haryana,  
Labour and Employment Department.

हरियाणा सरकार

श्रम विभाग

आदेश

दिनांक 15 मई, 1987

सं० ओ०वि०/एफ.डी./59-87/18927.--चूंकि हरियाणा के राज्यपाल की राय है कि मै० साहनी 'सिल्क मिल्ज 14/7, मयूरा रोड, फरीदाबाद के श्रमिक श्री मंगेश कुमार मार्केट हिन्द मन्दिर, समा 29, शहीद चौक फरीदाबाद तथा उसके प्रबन्धकों के बीच इसमें इसके बाद लिखित मामले में कोई औद्योगिक विवाद है ;

और चूंकि हरियाणा के राज्यपाल इस विवाद को न्यायनिर्णय हेतु निर्दिष्ट करना आवश्यक समझते हैं;

इसलिए, अब, औद्योगिक विवाद अधिनियम, 1947, की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा उक्त अधिनियम, की धारा 7क के अधीन गठित औद्योगिक

अधिकरण, हरियाणा, फरीदाबाद, को नीचे विनिर्दिष्ट मामले जोकि उक्त प्रबन्धकों तथा श्रमिकों के बीच या तो विवादग्रस्त मामला/मामले है अथवा विवाद से सुसंगत या सम्बन्धित मामला/मामले है न्यायनिर्णय एवं पंचाट तीन मास में देने हेतु विधिष्ट करते हैं :—

क्या श्री मनोज कुमार की सेवाओं का समापन न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

सं० ओ० वि०/एफ.डी./118-87/18934.—चूंकि हरियाणा के राज्यपाल की राय है कि मै० ओमिश इण्डस्ट्रीज, सैक्टर 27-ए, प्लॉट नं० 63, फरीदाबाद के श्रमिक श्री विजय कुमार सहगल, मकान नं० 75, सैक्टर 22, फरीदाबाद तथा प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले के सम्बन्ध में कोई औद्योगिक विवाद है;

और चूंकि हरियाणा के राज्यपाल इस विवाद को न्यायनिर्णय हेतु निर्दिष्ट करना वांछनीय समझते हैं;

इसलिये, अब, औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा उक्त अधिनियम की धारा 7 के अधीन गठित औद्योगिक अधिकरण, हरियाणा, फरीदाबाद, को नीचे विनिर्दिष्ट मामला/मामले जोकि उक्त प्रबन्धकों तथा श्रमिकों के बीच या तो विवादग्रस्त मामला/मामले है अथवा विवाद से सुसंगत या सम्बन्धित मामला/मामले है न्यायनिर्णय एवं पंचाट तीन मास में देने हेतु निर्दिष्ट करते हैं :—

क्या श्री विजय कुमार की सेवाओं का समापन न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

दिनांक 20 मई, 1987

सं० ओ० वि०/कुरु०/22-87/19522.—चूंकि हरियाणा के राज्यपाल की राय है कि मै० कुरुक्षेत्र सैन्ट्रल कोपरेटिव कन्जुमर स्टोर लि०, कुरुक्षेत्र के श्रमिक श्री सुरजीत सिंह, पुत्र श्री भंगू राम, गांव ब डाकखाना ढांड, तहसील कैथल, जिला कुरुक्षेत्र तथा उसके प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले में कोई औद्योगिक विवाद है ;

और चूंकि हरियाणा के राज्यपाल विवाद को न्यायनिर्णय हेतु निर्दिष्ट करना वांछनीय समझते हैं;

इसलिये, अब, औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (1) के खण्ड (ग) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा सरकारी अधिसूचना सं० 3(44)84-3-अम, दिनांक 18 अप्रैल, 1984, द्वारा उक्त अधिसूचना की धारा 7 के अधीन गठित श्रम न्यायालय, अम्बाला, को विवादग्रस्त या उससे सम्बन्धित नीचे लिखा मामला न्यायनिर्णय एवं पंचाट तीन मास में देने हेतु निर्दिष्ट करते हैं जो कि उक्त प्रबन्धकों तथा श्रमिक के बीच या तो विवादग्रस्त मामला है या विवाद से सुसंगत अथवा सम्बन्धित मामला है :—

क्या श्री सुरजीत सिंह की सेवाओं का समापन न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

सं० ओ० वि०/एफ.डी./15-87/19528.—चूंकि हरियाणा के राज्यपाल की राय है कि मै० प्रीसीजन इन्जीनियरिंग इण्टस्ट्रीज, रेलवे रोड, फरीदाबाद के श्रमिक श्री नौरंग सिंह, पुत्र श्री जगीर सिंह, मार्फत फरीदाबाद कामगार, यूनियन, 2/7, गोपी कालोनी, ओल्ड फरीदाबाद तथा प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले के सम्बन्ध में कोई औद्योगिक विवाद है।

और चूंकि हरियाणा के राज्यपाल, विवाद को न्यायनिर्णय हेतु निर्दिष्ट करना वांछनीय समझते हैं;

इसलिये, अब, औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा उक्त अधिनियम की धारा 7 के अधीन गठित औद्योगिक अधिकरण, हरियाणा, फरीदाबाद को नीचे विनिर्दिष्ट मामला जो कि उक्त प्रबन्धकों तथा श्रमिक के बीच या तो विवादग्रस्त मामला है अथवा विवाद से सुसंगत या सम्बन्धित मामला है न्यायनिर्णय एवं पंचाट तीन मास में देने हेतु निर्दिष्ट करते हैं :—

क्या श्री नौरंग सिंह की सेवाओं का समापन न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

आर. एस. अग्रवाल,

उप-सचिव, हरियाणा सरकार,  
श्रम विभाग।